

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

LETICIA LAGERA, *et al.*,

Plaintiffs,

v.

USA & 50 STATES,

Defendants.

Case No. 20-cv-00278-DKW-WRP

**ORDER (1) OVERRULING AS-
CONSTRUED OBJECTION, (2)
ADOPTING MAGISTRATE
JUDGE’S FINDINGS AND
RECOMMENDATION, AND (3)
DISMISSING CASE WITHOUT
PREJUDICE**

This matter comes before the Court with the June 30, 2021 Findings and Recommendation (F&R) of the assigned U.S. Magistrate Judge. Dkt. No. 21. Therein, the Magistrate Judge recommends dismissing this case without prejudice after finding that Plaintiffs have failed to prosecute their claims by, among other things, failing to serve the operative complaints. On July 8, 2021, the Court docketed a letter from Plaintiff Janet Howell.¹ Dkt. No. 22. Although challenging to follow, Plaintiff’s letter appears to claim that this case was “stolen” by fraud and this Court is “entertaining corrupted plaintiffs, fraud plaintiffs, fraud conferences.” *Id.* at 1. Missing from the letter, however, is any mention of, let

¹The Court notes that Plaintiff Janet Howell appears to have used numerous names to identify herself in this case, including, Janet Lagera, Janeth Campos, Janet Ibale Campos, Javinar Howell, and Janet Campos Howell. The Court uses the name on the July 2021 letter, Janet Howell.

alone specific objection to, the findings and recommendation of the F&R or, more specifically, an explanation as to why Plaintiff has failed to serve the complaints in this case. *See* Fed.R.Civ.P. 72(b)(2), (3) (providing that a district court only need determine de novo any part of a magistrate judge's recommendation to which "specific" objection is made). The closest Plaintiff gets in that regard is her statement that she will be out of the country for roughly eight months in order to have medical treatment. That *future* absence, however, even if true, does not address why the complaint has not been served in the *past* 13 months since the initiation of this case.

Therefore, the Court overrules any objection to the F&R contained in the July 2021 letter and ADOPTS the F&R (Dkt. No. 21) in full. Accordingly, this case is DISMISSED WITHOUT PREJUDICE for failure to prosecute for the reasons set forth in the F&R.

The Clerk is instructed to CLOSE this case.

IT IS SO ORDERED.

Dated: July 28, 2021 at Honolulu, Hawai'i.




Derrick K. Watson
United States District Judge